

1 Brendan J. O'Rourke\*  
borourke@proskauer.com  
2 Jennifer L. Jones\*  
jljones@proskauer.com  
3 Victoria L. Loughery\*  
vloughery@proskauer.com  
4 PROSKAUER ROSE LLP  
Eleven Times Square  
5 New York, NY 10036  
Phone: (212) 969-3000  
6 Facsimile: (212) 969-2900  
\* Admitted *Pro Hac Vice*

7 Robert H. Horn (SBN #134710)  
8 rhorn@proskauer.com  
PROSKAUER ROSE LLP  
9 2049 Century Park East, 32nd Floor  
Los Angeles, CA 90067-3206  
10 Phone: (310) 557-2900  
Facsimile: (310) 557-2193

11 Attorneys For Defendant-  
12 Counterclaim Plaintiff Radiancy, Inc.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION  
16

17 TRIA BEAUTY, INC.,  
18 Plaintiff,

19 vs.

20 RADIANCY, INC.,  
Defendant.

CASE NO. CV-10-5030 (RS) (NJV)

**PROOF OF SERVICE**

21  
22 RADIANCY, INC.,  
Counterclaim Plaintiff,

23 vs.

24 TRIA BEAUTY, INC.,  
25 Counterclaim Defendant,

26 and

27 KIMBERLY KARDASHIAN,  
28 Counterclaim Defendant.

1 I declare that: I am employed in the County of New York, New York. I am over the age  
 2 of eighteen years and not a party to the within cause; my business address is Eleven Times  
 Square, New York, NY 10036.

3 On April 26, 2012, I served the foregoing documents described as:

4 See attached

5 ☒ by placing ☐ the original ☒ true copies thereof to be delivered to:

6 Peter M. Brody  
 7 Ropes & Gray LLP  
 8 One Metro Center  
 700 12<sup>th</sup> St., NW  
 Suite 900  
 9 Washington, DC 20005-3948

10 Peter.Brody@ropesgray.com

Michael J. Kump  
 Laura D. Castner  
 Kinsella Weitzman Iser Kump & Aldisert LLP  
 808 Wilshire Boulevard, 3rd Floor  
 Santa Monica, CA 90401

11 MKump@kwikalaw.com

LCastner@kwikalaw.com

12 ☐ By Email: By transmitting a true and correct copy thereof via electronic transmission to  
 13 the above listed email addresses; and,

14 ☒ By Federal Express: By placing a true and correct copy in a sealed envelope addressed  
 15 to the above listed addresses. I am readily familiar with the firm's practice for the  
 16 collection and processing of correspondence for mailing with Federal Express and the  
 17 fact that the correspondence would be deposited with Federal Express that same day in  
 the ordinary course of business; on this date, the above-referenced correspondence was  
 placed for deposit at New York, NY and placed for collection and mailing following  
 ordinary business practices.

18 I declare under penalty of perjury under the laws of the State of New York that the above  
 19 is true and correct.

20 Executed on April 26, 2012, at New York, New York.

21 Ryan K. Pifer

22 Type or Print Name

23   
 24 Signature

DOCUMENTS SERVED

1  
2 1. Radiancy, Inc.'s Reply Memorandum of Points and Authorities in Further  
3 Support of its Motion for Partial Summary Judgment – SEALED;

4 2. Radiancy, Inc.'s Reply Memorandum of Points and Authorities in Further  
5 Support of its Motion for Partial Summary Judgment – PUBLIC VERSION;

6 3. Reply Affidavit of Haley B. Heyer in Further Support of Radiancy, Inc.'s Motion  
7 for Partial Summary Judgment.

8 4. Declaration of Victoria L. Loughery On Behalf of Radiancy, Inc., In Response to  
9 TRIA Beauty's Administrative Motion to Seal Documents Pursuant to Civil Local Rules 7-11  
10 and 79-5.

11 5. [Proposed] Order Granting TRIA Beauty, Inc.'s Administrative Motion to Seal  
12 Documents Pursuant to Civil Local Rules 7-11 and 79-5.